

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

-----X  
PAUL T. PAPADAKIS,  
:  
PLAINTIFF  
:  
VS.  
:  
CSX TRANSPORTATION,  
:  
DEFENDANT  
-----X

CIVIL ACTION  
NO.: 04-30189-MAP

**PLAINTIFF'S FEDERAL RULES OF CIVIL PROCEDURE 26(a)(3) AMENDED PRE-  
TRIAL DISCLOSURES**

A. The name and address and telephone number of each witness the Plaintiff may call at the time of trial.

1. Paul Papadakis, Plaintiff  
54 Carmel Lane  
Feeding Hills, MA
2. Kathleen Papadakis  
54 Carmel Lane  
Feeding Hills, MA
3. Richard G. Ross  
15 Tina Lane  
Westfield, MA
4. James Cronin, C.O., CSX, Potential  
Westfield, MA
5. Barbara Dunbar, RN, Potential  
C.O., CSX  
Selkirk, NY
6. Rebecca Savoie, C.O., CSX, Potential  
Charlotte, NC
7. Peter Ebert  
435 Newry St.

Greenville, NY

8. Ronald Jette  
13 Northwest Road  
Spencer, MA
9. James Santillo  
Feeding Hills, MA
10. James Lamb  
Westfield, MA
11. Richard Spatafore, Potential  
Albany, NY
12. David J. Evers  
41 Longwood Drive  
Clifton Park, NY
13. Richard L. Sanderson  
55 Linsley St.  
Branford, CT
14. Franklyn H. Carrington, MD  
Internal Medicine, PC  
377 Walnut Street  
Agawam, MA
15. Jeff Crother, C.O., CSX
16. John Richard, C.O., CSX  
413-568-2966
17. Everett Cooley, C.O., CSX
18. David Caron, C.O., CSX, Potential
19. Anthony Riccardi  
292 Washington Ave, Ext  
Albany, NY
20. Leona Liberty, Ph.D.

120 Defreest Drive  
Troy, NY

21. Lawrence H. Field, MD  
780 Chestnut Street  
Springfield, MA
22. R. Scott Cowan, MD  
Northeast Orthopedic Surgeons  
300 Carew Street  
Springfield, MA
23. Paul B. Markarian, MD  
Bay State MRI & Imaging Center  
3300 Main Street  
Springfield, MA
24. Brad Winter or other representative of the  
BMW  
Danvers, MA

B. PLAINTIFF'S EXHIBIT LIST

1. Employee's incident report, dated June 15, 2001;
2. Personal injury/occupational illness report dated June 15, 2001;
3. Employee incident/injury root cause analysis report;
4. TNT Repair, Inc. invoice regarding subject vehicle;
5. CSX safety rules;
6. Fairmount Railway Motors Operators Service and Parts manual;
7. Fairmount Railway Motors Operators Service and Parts manual;
8. Fairmount Railway Motors Operators Service and Parts manual;
9. Memo from D.J. Evers, marked at Evers deposition as Exhibit 4;
10. Various photographs of the subject vehicle taken by Ernest Gailor during his inspection;

11. CSX Transportation safety rules and company policies and programs for the transportation department, dated October 1, 2001;
12. Medical records of Franklyn Carrington, MD, Internal Medicine, PC, 377 Walnut Street Extension, Agawam, MA;
13. Medical records of Lawrence H. Field, MD, Physical Medicine Rehabilitation, 780 Chestnut Street, Springfield, MA;
14. Medical records of Thomas Kaye, MD, Valley Neurological Surgery, PC., 300 Stafford Street, Springfield, MA;
15. Medical records of Pain Management Center, 3400 Main Street, Springfield, MA
16. Medical records of R. Scott Cowan, MD, Orthopedic Surgeons, 300 Bernie Avenue, Springfield, MA;
17. Medical records, Lahey Clinic, Bernard Pheifer, MD, 41 Mall Road, Burlington, MA;
18. Medical records, Springfield Anesthesia Services, Inc.;
19. Medical records, Baystate MRI Imaging Center, 3300 Main Street, Springfield, MA;
20. Medical records, Paul Markarian, MD, Baystate MRI & Imaging Center, 3300 Main Street, Springfield, MA;
21. Medical records, Mercy Medical Center,
22. VHS video tape by Harsco Track Technologies, "Operation Instructions for Light Duty Hy-Rail Guidewheel Equipment", Tape # V1-093. Released April 2001;
23. Paul Papadakis federal income tax returns for the tax period 1997-2001;
24. Brotherhood of Maintenance and Way fringe benefit statement;
25. Worklife tables promulgated by the United States Department of Labor;
26. Life expectancy tables promulgated by the United States Department of Health;
27. CSX medical department health records regarding Paul Papadakis;

28. Harsco Track Technology service bulletin, No. 05012;
29. Three Fairmount Hy-Rail operating bars of the type depicted in the Fairmount Operators Manual;
30. TNT Repair, Inc., notebook notation of Kevin Krouse concerning hy-rail vehicle no.: 500285;
31. Statement of Paul Papadakis given to CSX employee Rebecca Savoie;
32. Various photographs of the subject vehicle taken by Joe E. Kent;

Respectfully Submitted,


  
Robert M. Byrne, Jr., Esq.  
**THORNTON & NAUMES**  
100 Summer Street, 30<sup>th</sup> Floor  
Boston, MA 02110  
(617) 720-1333  
BBO# 068620

CERTIFICATE OF SERVICE

I, Robert M. Byrne, Jr., hereby certify that on March 27, 2006, I served a copy of the within Plaintiff's Federal Rules of Civil Procedure 26(a)(3) Amended Pre-Trial Disclosures Statement upon the defendant by mailing, first class, postage prepaid, to:

Michael B. Flynn, Esq.  
Flynn & Associates, P.C.  
400 Crown Colony Drive, Suite 200  
Quincy, MA 02169

3/27/06  
DATE

  
Robert M. Byrne, Jr.